

ENTERED

September 21, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

METRO HOSPITALITY	§	CIVIL ACTION No
PARTNERS LTD,	§	4:22-cv-01796
Plaintiff,	§	
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
GUIDEONE NATIONAL	§	
INSURANCE	§	
COMPANY, <i>et al</i> ,	§	
Defendants.	§	

**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION**

Pending is a Memorandum and Recommendation by Magistrate Judge Christina A. Bryan dated August 9, 2022. Dkt 27. No party objected.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, *per curiam*). The district court may accept any other portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).

No clear error appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 27.

The motion by Plaintiff Metro Hospitality Partners Ltd to remand is GRANTED. Dkt 12.

The motion by Plaintiff Metro Hospitality Partners Ltd to dismiss the counterclaim of Defendants GuideOne National Insurance Company and Certain Underwriters at Lloyd's London is DENIED WITHOUT PREJUDICE. Dkt 18.

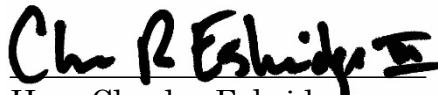
The motion by Defendants GuideOne National Insurance Company, *et al*, to preclude attorney fees is DENIED WITHOUT PREJUDICE. Dkt 22.

This action is REMANDED to the 234th District Court of Harris County, Texas.

The Clerk shall provide a copy of this Order to the District Clerk for Harris County, Texas.

SO ORDERED.

Signed on September 21, 2022, at Houston, Texas.


Hon. Charles Eskridge
United States District Judge